

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-00342-ABJ**

CENTER FOR BIOLOGICAL DIVERSITY v. U.S. FISH AND
WILDLIFE SERVICE et al

Assigned to: Judge Amy Berman Jackson

Case: 1:18-cv-01706-ABJ

Cause: 05:552 Freedom of Information Act

Date Filed: 02/13/2018

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

**CENTER FOR BIOLOGICAL
DIVERSITY**

represented by **Margaret E. Townsend**
CENTER FOR BIOLOGICAL
DIVERSITY
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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PRO HAC VICE
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V.

Defendant

U.S. FISH AND WILDLIFE SERVICE

represented by **Jeremy S. Simon**
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Scott Leeson Sroka
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TERMINATED: 03/06/2020

Defendant

**U.S. ENVIRONMENTAL
PROTECTION AGENCY**

represented by **Jeremy S. Simon**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Scott Leeson Sroka

(See above for address)

TERMINATED: 03/06/2020

| Date Filed | # | Docket Text |
|------------|-----------|---|
| 02/13/2018 | <u>1</u> | COMPLAINT against U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. FISH AND WILDLIFE SERVICE (Filing fee \$ 400 receipt number 0090-5332024) filed by CENTER FOR BIOLOGICAL DIVERSITY. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons)(Townsend, Margaret) (Entered: 02/13/2018) |
| 02/13/2018 | <u>2</u> | Corporate Disclosure Statement by CENTER FOR BIOLOGICAL DIVERSITY. (Townsend, Margaret) (Entered: 02/13/2018) |
| 02/13/2018 | | Case Assigned to Judge Amy Berman Jackson. (zsth) (Entered: 02/14/2018) |
| 02/14/2018 | <u>3</u> | SUMMONS(4) Issued Electronically as to U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. FISH AND WILDLIFE SERVICE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zsth) (Entered: 02/14/2018) |
| 02/15/2018 | <u>4</u> | MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Stephanie M. Parent, :Firm- Center for Biological Diversity, :Address- P.O. Box 11374; Portland, OR 97211-0374. Phone No. - (971) 717-6404. Fax No. - (503) 283-5528 Filing fee \$ 100, receipt number 0090-5334255. Fee Status: Fee Paid. by CENTER FOR BIOLOGICAL DIVERSITY (Attachments: # <u>1</u> Declaration of Stephanie M. Parent, # <u>2</u> Text of Proposed Order)(Townsend, Margaret) (Entered: 02/15/2018) |
| 02/20/2018 | | MINUTE ORDER granting <u>4</u> Motion for Leave of Stephanie M. Parent to Appear Pro Hac Vice only upon condition that the lawyer admitted, or at least one member of the lawyer's firm, undergo CM/ECF training, obtain a CM/ECF username and password, and agree to file papers electronically. No court papers will be mailed to any lawyer. Signed by Judge Amy Berman Jackson on 2/20/18. (DMK) (Entered: 02/20/2018) |
| 02/27/2018 | <u>5</u> | NOTICE of Appearance by Scott Leeson Sroka on behalf of All Defendants (Sroka, Scott) (Entered: 02/27/2018) |
| 03/02/2018 | <u>6</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 2/17/2018. Answer due for ALL FEDERAL DEFENDANTS by 3/19/2018. (Townsend, Margaret) (Entered: 03/02/2018) |
| 03/02/2018 | <u>7</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. ENVIRONMENTAL PROTECTION AGENCY served on 2/22/2018; U.S. FISH AND WILDLIFE SERVICE served on 2/22/2018 (Townsend, Margaret) (Entered: 03/02/2018) |
| 03/02/2018 | <u>8</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 02/23/2018. (Townsend, Margaret) (Entered: 03/02/2018) |
| 03/19/2018 | <u>9</u> | Consent MOTION for Extension of Time to File Answer by U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. FISH AND WILDLIFE SERVICE (Sroka, Scott) (Entered: 03/19/2018) |
| 03/19/2018 | | MINUTE ORDER granting <u>9</u> Motion for Extension of Time to Answer. Defendants must file their answer to plaintiff's complaint or other response by April 2, 2018. Signed by Judge Amy Berman Jackson on 03/19/2018. (lcabj3) (Entered: 03/19/2018) |
| 03/29/2018 | <u>10</u> | ANSWER to <u>1</u> Complaint by U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. FISH AND WILDLIFE SERVICE.(Sroka, Scott) Modified to add link on 3/30/2018 (znmw). (Entered: 03/29/2018) |
| 03/30/2018 | | MINUTE ORDER. Before the Court in this FOIA case are a complaint and an answer. The requirements of Local Civil Rule 16.3 and Rule 26(f) of the Federal Rules of Civil Procedure appear to be inapplicable. Defendants shall file a dispositive motion or, in |

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| | | the alternative, a report setting forth the schedule for the completion of its production of documents to plaintiff, on or before April 27, 2018.Signed by Judge Amy Berman Jackson on 03/30/2018. (lcabj3) (Entered: 03/30/2018) |
| 04/27/2018 | <u>11</u> | STATUS REPORT <i>and Proposed Production Schedule</i> by U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. FISH AND WILDLIFE SERVICE. (Sroka, Scott) (Entered: 04/27/2018) |
| 04/27/2018 | <u>12</u> | RESPONSE re <u>11</u> Status Report <i>COUNTERPROPOSAL TO DEFENDANTS PROPOSED PRODUCTION SCHEDULE</i> filed by CENTER FOR BIOLOGICAL DIVERSITY. (Attachments: # <u>1</u> Declaration Stephanie Parent, # <u>2</u> Exhibit A – NOAA FOIA Response Letter, # <u>3</u> Exhibit B – FWS FOIA Response Letter 1, # <u>4</u> Exhibit C – FWS FOIA Response Letter 2, # <u>5</u> Exhibit D – Email to EPA Amending Request, # <u>6</u> Exhibit E – –EPA's Acknowledgement of Amended Request, # <u>7</u> Exhibit F – EPA Initial Response Letter)(Townsend, Margaret) (Entered: 04/27/2018) |
| 05/07/2018 | | MINUTE ORDER. Upon consideration of all of the pleadings, the agencies are ordered to process 600 records per month each, with the first production on May 31, 2018, and continuing on a rolling basis on the last day of each month. The parties must also submit a joint status report on August 1, 2018. Signed by Judge Amy Berman Jackson on 05/07/2018. (lcabj3) (Entered: 05/07/2018) |
| 07/26/2018 | | MINUTE ORDER. The parties must meet and confer and address in their upcoming August 1 joint status report whether a related case, 18–cv–1706, should be consolidated and whether the records requested in that case should be incorporated into the schedule for rolling production that was established in this case. Signed by Judge Amy Berman Jackson on 07/26/2018. (lcabj3) (Entered: 07/26/2018) |
| 08/01/2018 | <u>13</u> | Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY. (Townsend, Margaret) (Entered: 08/01/2018) |
| 08/02/2018 | | MINUTE ORDER. The parties must submit an updated joint status report by October 3, 2018. Signed by Judge Amy Berman Jackson on 08/2/2018. (lcabj3) (Entered: 08/02/2018) |
| 10/03/2018 | <u>14</u> | Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY. (Townsend, Margaret) (Entered: 10/03/2018) |
| 10/05/2018 | | MINUTE ORDER. Before the Court can determine whether a briefing schedule should be established at this time, defendant Fish and Wildlife Services ("FWS"), must by October 10, 2018, file a notice with the Court explaining the discrepancy between its statement in a prior status report <u>11</u> that "FWS has completed its searches, which resulted in approximately 5,500 pages of potentially responsive records," and its subsequent statement in a joint status report <u>14</u> that "FWS has processed a total of approximately 5,955 records," and it "estimates it has over 22,500 records remaining to review." As to defendant EPA, absent a narrowing of the FOIA request by agreement or court order, the scope of the search should be defined by the language of the request. Finally, the Court is aware of the pendency of the related case, 18–cv–1706, but it will take no steps to consolidate the cases formally at this time. Signed by Judge Amy Berman Jackson on 10/05/2018. (lcabj3) (Entered: 10/05/2018) |
| 10/10/2018 | <u>15</u> | RESPONSE to Order of the Court by U.S. FISH AND WILDLIFE SERVICE re Order,,,,, Set Deadlines,,,, (Sroka, Scott) Modified text on 10/16/2018 (ztd). (Entered: 10/10/2018) |
| 10/17/2018 | | MINUTE ORDER. Defendant FWS and plaintiff must meet and confer and determine whether they can narrow or prioritize the search or ascertain more quickly how many of the remaining documents are duplicates, and submit a report to the Court by October 24, 2018 with a proposed schedule for completing the production. Defendant EPA must complete the processing of records and submit a status report by November 30, 2018. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/17/2018. (lcabj3) (Entered: 10/17/2018) |
| 10/24/2018 | <u>16</u> | Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY. (Parent, Stephanie) (Entered: 10/24/2018) |
| 10/25/2018 | | MINUTE ORDER. Defendant Fish and Wildlife Services must file an updated joint status report with defendant EPA on November 30, 2018. SO ORDERED. Signed by |

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| | | Judge Amy Berman Jackson on 10/25/2018. (lcabj3) (Entered: 10/25/2018) |
| 11/30/2018 | <u>17</u> | STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. FISH AND WILDLIFE SERVICE. (Sroka, Scott) (Entered: 11/30/2018) |
| 11/30/2018 | <u>18</u> | RESPONSE re <u>17</u> Status Report filed by CENTER FOR BIOLOGICAL DIVERSITY. (Parent, Stephanie) (Entered: 11/30/2018) |
| 12/04/2018 | | MINUTE ORDER. In an October 3, 2018 Joint Status report, plaintiff complained that the EPA was not following the language of the FOIA request which sought "all records from April 1, 2017, through the date of the search," and that instead the agency was using the date the agency received the request as the search cut-off date. Joint Status Report [Dkt. # 14] at 2-3. On October 5, 2018, the Court issued a Minute Order telling EPA that "absent a narrowing of the FOIA request by agreement or court order, the scope of the search should be defined by the language of the request." Min. Order (Oct. 5, 2018). Nearly two months later, on November 30, 2018, EPA informed the Court that there still "appears to be some disagreement between the parties about the date of search used as the search's end date." Def.'s Status Report [Dkt. # 17] at 1. Plaintiff complains that "EPA has not complied with the Court's order to define the scope of the search as requested by the Center." Pl.'s Resp. to Def.'s Status Report [Dkt. # 18]. The Court reiterates that absent an agreement or Court order, the scope of a search should be defined by the request. Therefore, the relevant question in connection with this dispute is: what was the date of the search? Even that is hard to pinpoint based on this record. The EPA informed the Court on April 27, 2018, in its first status report and proposed schedule, that on August 11, 2017, EPA sent plaintiff a letter notifying plaintiff that it had conducted what it referred to as its "initial search" to fulfill plaintiff's request, resulting in 7,360 documents, and that it invited plaintiff to reformulate its request. Defs.' Status Report & Proposed Schedule [Dkt # 11] at 2. The EPA also reported that on December 7, 2017, plaintiff submitted an "amended" request which the agency processed along with the original request. Id. And in the report dated April 27, 2018, EPA stated that it had "completed" that combined search. Id. at 6. It did not indicate when that search took place, however. In light of these representations, the Court concludes that the end date of the search should not have been as early as June 27, 2017, the date the EPA received the first request, but that it should be no later than April 27, 2018. Therefore, the parties are ordered to meet and confer and inform the Court by December 10, 2018 whether they can agree upon a single date to be used for this purpose or if it is necessary for the Court to make its own determination. The Court will grant EPA's request for an extension of time to process the documents by December 21, 2018, notwithstanding plaintiff's objection to that extension. SO ORDERED. Signed by Judge Amy Berman Jackson on 12/04/2018. (lcabj3) (Entered: 12/04/2018) |
| 12/10/2018 | <u>19</u> | Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY. (Parent, Stephanie) (Entered: 12/10/2018) |
| 12/10/2018 | | MINUTE ORDER. The parties must submit an updated joint status report by December 19, 2018. SO ORDERED. Signed by Judge Amy Berman Jackson on 12/10/2018. (lcabj3) (Entered: 12/10/2018) |
| 12/19/2018 | <u>20</u> | Joint STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Sroka, Scott) (Entered: 12/19/2018) |
| 01/04/2019 | | MINUTE ORDER. In light of <u>20</u> the joint status report, it is ORDERED that EPA shall process 750 records and produce any responsive non-exempt records to plaintiff by January 31, 2019, that EPA shall complete its review and production of the remaining records by March 15, 2019, and that the parties shall file another joint status report by March 22, 2019. If the work contemplated by the schedule is not being carried out due to the lapse in government appropriations, defendants should inform the Court within two business days of the resumption of operations and propose a revised schedule at that time. Signed by Judge Amy Berman Jackson on 1/4/19. (DMK) (Entered: 01/04/2019) |
| 01/06/2019 | | Set/Reset Deadlines: EPA shall process 750 records and produce any responsive non-exempt records to plaintiff by 1/31/2019, that EPA shall complete its review and production of the remaining records by 3/15/2019, and that the parties shall file another joint status report by 3/22/2019. (jth) (Entered: 01/06/2019) |

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| 01/28/2019 | <u>21</u> | NOTICE of Restored Government Funding by U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. FISH AND WILDLIFE SERVICE re Order,, (Sroka, Scott) (Entered: 01/28/2019) |
| 01/28/2019 | | MINUTE ORDER. In light of the government's lapse in appropriations, the Court will revise the agencies' production schedules as follows: EPA must complete processing the 750 records and produce non-exempt records to plaintiff by March 1, 2019; FWS must complete all processing and releases by May 31, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 01/28/2019. (lcabj3) (Entered: 01/28/2019) |
| 03/22/2019 | <u>22</u> | Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY. (Townsend, Margaret) (Entered: 03/22/2019) |
| 03/26/2019 | | MINUTE ORDER. The parties must file an updated status report by May 15, 2019 that should include a proposed schedule for further proceedings, if necessary. SO ORDERED. Signed by Judge Amy Berman Jackson on 03/26/2019. (lcabj3) (Entered: 03/26/2019) |
| 05/15/2019 | <u>23</u> | Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY. (Townsend, Margaret) (Entered: 05/15/2019) |
| 05/17/2019 | | MINUTE ORDER. Defendants must file status reports on May 31, 2019 and June 17, 2019 stating whether they met their production deadlines. The parties must file a joint status report on July 15, 2019 advising the Court of the status of their efforts to meet and confer and possibly resolve any disputes over withholdings. SO ORDERED. Signed by Judge Amy Berman Jackson on 05/17/2019. (lcabj3) (Entered: 05/17/2019) |
| 05/31/2019 | <u>24</u> | STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. FISH AND WILDLIFE SERVICE. (Sroka, Scott) (Entered: 05/31/2019) |
| 06/03/2019 | | MINUTE ORDER. The parties must file an updated joint status report by June 17, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 06/03/2019. (lcabj3) (Entered: 06/03/2019) |
| 06/04/2019 | | Set/Reset Deadlines: Joint Status Report due by 6/17/2019. (tg) (Entered: 06/04/2019) |
| 06/17/2019 | <u>25</u> | STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. FISH AND WILDLIFE SERVICE. (Sroka, Scott) (Entered: 06/17/2019) |
| 06/17/2019 | | MINUTE ORDER. The parties must file an updated joint status report by July 17, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 06/17/2019. (lcabj3) (Entered: 06/17/2019) |
| 07/17/2019 | <u>26</u> | Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY. (Townsend, Margaret) (Entered: 07/17/2019) |
| 07/23/2019 | | MINUTE ORDER. The parties must submit an updated joint status report by August 16, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 07/23/2019. (lcabj3) (Entered: 07/23/2019) |
| 08/16/2019 | <u>27</u> | Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY. (Attachments: # <u>1</u> Text of Proposed Order Plaintiff's Proposed Scheduling Order)(Townsend, Margaret) (Entered: 08/16/2019) |
| 08/20/2019 | | MINUTE ORDER. The parties must file an updated joint status report by September 16, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 08/20/2019. (lcabj3) (Entered: 08/20/2019) |
| 09/16/2019 | <u>28</u> | Joint STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. FISH AND WILDLIFE SERVICE. (Sroka, Scott) (Entered: 09/16/2019) |
| 09/19/2019 | | MINUTE ORDER. The parties must submit an updated joint status report by November 1, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 09/19/2019. (lcabj3) (Entered: 09/19/2019) |
| 10/31/2019 | <u>29</u> | Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY. (Parent, Stephanie) (Entered: 10/31/2019) |
| 11/01/2019 | | MINUTE ORDER. In light of the parties' <u>29</u> joint status report, the Court will defer setting a briefing schedule until document production has concluded. The parties shall |

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| | | submit another status report by December 2, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 11/1/2019. (lcabj3) (Entered: 11/01/2019) |
| 12/02/2019 | <u>30</u> | Joint STATUS REPORT by CENTER FOR BIOLOGICAL DIVERSITY. (Townsend, Margaret) (Entered: 12/02/2019) |
| 12/03/2019 | | MINUTE ORDER. In light of the parties' <u>30</u> joint status report, the parties shall submit another status report by January 6, 2020. The report should include a proposed schedule for briefing the issues related to disputed withholdings that is structured in the following manner: an initial motion (ordinarily filed by the defendant); an opposition (and any cross-motion, to be supported by a single, combined memorandum of points and authorities); a reply (and any cross-opposition, if needed) and if needed, a cross-reply. SO ORDERED. Signed by Judge Amy Berman Jackson on 12/3/2019. (lcabj3) (Entered: 12/03/2019) |
| 01/06/2020 | <u>31</u> | Joint STATUS REPORT and Briefing Schedule by CENTER FOR BIOLOGICAL DIVERSITY. (Parent, Stephanie) (Entered: 01/06/2020) |
| 01/06/2020 | | MINUTE ORDER. In light of the parties' <u>31</u> joint status report, the following briefing schedule will apply: 1) defendants' motion for summary judgment on records in dispute is due February 5, 2020; 2) plaintiff's cross-motion for summary judgment must be submitted by February 26, 2020; 3) defendants' combined reply in support of its motion and in response to plaintiff's cross-motion must be submitted by March 18, 2020; and 4) plaintiff's reply in support of its cross-motion must be filed by April 1, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 1/6/2020. (lcabj3) (Entered: 01/06/2020) |
| 01/07/2020 | | Set/Reset Deadlines: Defendants' Motion for Summary Judgment is due by 2/5/2020; Plaintiff's Opposition and Cross-Motion for Summary Judgment is due by 2/26/2020; Defendants' Combined Reply in support of its Motion and in Response to Plaintiff's Cross-Motion is due by 3/18/2020; Plaintiff's Reply in support of its Cross-Motion is due by 4/12/2020. (jth) (Entered: 01/07/2020) |
| 02/05/2020 | <u>32</u> | Consent MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> by U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. FISH AND WILDLIFE SERVICE (Sroka, Scott) (Entered: 02/05/2020) |
| 02/06/2020 | | MINUTE ORDER granting <u>32</u> Motion for Extension of Time. In light of the parties' <u>32</u> motion, defendants' motion for summary judgment is due March 11, 2020; plaintiff's cross-motion / opposition is due April 8, 2020; defendants' reply / opposition is due April 22, 2020; and plaintiff's reply is due May 6, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 2/6/2020. (lcabj3) (Entered: 02/06/2020) |
| 02/07/2020 | | Set/Reset Deadlines: Defendants' Motion for Summary Judgment is due by 3/11/2020; Plaintiff's Opposition and Cross-Motion for Summary Judgment is due by 4/8/2020; Defendants' Combined Reply in support of its Motion and in Response to Plaintiff's Cross-Motion is due by 4/22/2020; Plaintiff's Reply in support of its Cross-Motion is due by 5/6/2020. (jth) (Entered: 02/07/2020) |
| 03/06/2020 | <u>33</u> | NOTICE OF SUBSTITUTION OF COUNSEL by Jeremy S. Simon on behalf of U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. FISH AND WILDLIFE SERVICE Substituting for attorney Scott L. Sroka (Simon, Jeremy) (Entered: 03/06/2020) |
| 03/06/2020 | <u>34</u> | Consent MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> by U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. FISH AND WILDLIFE SERVICE (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 03/06/2020) |
| 03/09/2020 | | MINUTE ORDER granting <u>34</u> Motion for Extension of Time. Defendants' motion for summary judgment must be filed by April 3, 2020; plaintiff's opposition and cross-motion for summary judgment must be filed by May 1, 2020; defendants' reply and cross-opposition must be filed by May 15, 2020; and plaintiff's reply must be filed by May 29, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 3/9/2020. (lcabj3) (Entered: 03/09/2020) |
| 03/09/2020 | | Set/Reset Deadlines: Summary judgment motion due by 4/3/2020; cross-motion and opposition to summary judgment motion due by 5/1/2020; opposition to cross-motion |

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| | | and reply to opposition to summary judgment motion due by 5/15/2020; reply to opposition to cross-motion due by 5/29/2020. (tg) (Entered: 03/09/2020) |
| 04/01/2020 | <u>35</u> | Consent MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> by U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. FISH AND WILDLIFE SERVICE (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 04/01/2020) |
| 04/02/2020 | | MINUTE ORDER granting <u>35</u> Motion for Extension of Time. Defendants' motion for summary judgment must be submitted by April 10, 2020; plaintiff's opposition and cross-motion must be submitted by May 8, 2020; defendants' reply and opposition to plaintiff's cross-motion must be submitted by May 22, 2020; and plaintiff's reply must be submitted by June 5, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 4/2/2020. (lcabj3) (Entered: 04/02/2020) |
| 04/10/2020 | <u>36</u> | MOTION for Summary Judgment , <i>Local Rule 7(h) Statement and Supporting Memorandum</i> by U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. FISH AND WILDLIFE SERVICE (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Declaration of Marietta Echeverria, # <u>3</u> Declaration of Karen Myers)(Simon, Jeremy) (Entered: 04/10/2020) |
| 05/06/2020 | <u>37</u> | Consent MOTION for Extension of Time to File Response/Reply as to <u>36</u> MOTION for Summary Judgment , <i>Local Rule 7(h) Statement and Supporting Memorandum</i> by CENTER FOR BIOLOGICAL DIVERSITY (Attachments: # <u>1</u> Text of Proposed Order)(Parent, Stephanie) (Entered: 05/06/2020) |
| 05/07/2020 | | MINUTE ORDER granting <u>37</u> Motion for Extension of Time to File. Plaintiff's opposition and cross motion for summary judgment must be submitted by May 22, 2020. Defendants' reply and opposition to plaintiff's cross motion must be submitted by June 5, 2020. Plaintiff's reply must be submitted by June 19, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/7/2020. (lcabj3) (Entered: 05/07/2020) |
| 05/21/2020 | <u>38</u> | Consent MOTION for Extension of Time to File Response/Reply as to <u>36</u> MOTION for Summary Judgment , <i>Local Rule 7(h) Statement and Supporting Memorandum</i> by CENTER FOR BIOLOGICAL DIVERSITY (Attachments: # <u>1</u> Text of Proposed Order)(Parent, Stephanie) (Entered: 05/21/2020) |
| 05/21/2020 | | MINUTE ORDER granting <u>38</u> Motion for Extension of Time. Plaintiff must file its opposition and cross-motion for summary judgment by May 29, 2020; defendants must file their reply and opposition to the cross-motion by June 12, 2020; and plaintiff must file its reply by June 26, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/21/2020. (lcabj3) Modified on 5/22/2020 to reflect the correct due dates of the submissions (jth). (Entered: 05/21/2020) |
| 05/27/2020 | <u>39</u> | Consent MOTION for Extension of Time to File Response/Reply as to <u>36</u> MOTION for Summary Judgment , <i>Local Rule 7(h) Statement and Supporting Memorandum</i> by CENTER FOR BIOLOGICAL DIVERSITY (Attachments: # <u>1</u> Text of Proposed Order)(Parent, Stephanie) (Entered: 05/27/2020) |
| 05/28/2020 | | MINUTE ORDER granting <u>39</u> Consent Motion for Extension of Time to File. Plaintiff's opposition and cross motion for summary judgment must be submitted by June 12, 2020. Defendants' reply and opposition to plaintiff's cross motion must be submitted by June 26, 2020. Plaintiff's reply must be submitted by July 10, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/28/2020. (lcabj3) (Entered: 05/28/2020) |
| 06/11/2020 | <u>40</u> | Consent MOTION for Extension of Time to File Response/Reply as to <u>36</u> MOTION for Summary Judgment , <i>Local Rule 7(h) Statement and Supporting Memorandum</i> by CENTER FOR BIOLOGICAL DIVERSITY (Attachments: # <u>1</u> Text of Proposed Order)(Parent, Stephanie) (Entered: 06/11/2020) |
| 06/11/2020 | | MINUTE ORDER granting <u>40</u> Motion for Extension of Time to File Response/Reply. Plaintiff's opposition and cross motion must be filed by June 19, 2020; defendants' reply and opposition to plaintiff's cross motion must be submitted by July 16, 2020; and plaintiff's reply must be submitted by July 30, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 6/11/2020. (lcabj3) (Entered: 06/11/2020) |
| 06/18/2020 | <u>41</u> | MOTION for Extension of Time to File Response/Reply as to <u>36</u> MOTION for Summary Judgment , <i>Local Rule 7(h) Statement and Supporting Memorandum</i> by |

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| | | CENTER FOR BIOLOGICAL DIVERSITY (Attachments: # <u>1</u> Text of Proposed Order)(Parent, Stephanie) (Entered: 06/18/2020) |
| 06/19/2020 | | ORDER granting <u>41</u> Motion for Extension of Time to File Response/Reply. Plaintiff's opposition to defendants' motion for summary judgment and plaintiff's cross-motion are due July 6, 2020; defendants' reply and opposition to plaintiff's cross-motion are due on August 7, 2020; and plaintiff's reply is due on August 21, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 6/19/2020. (lcabj3) (Entered: 06/19/2020) |
| 07/06/2020 | <u>42</u> | Cross MOTION for Summary Judgment <i>and Opposition to Defendants' Motion for Summary Judgment</i> by CENTER FOR BIOLOGICAL DIVERSITY (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Affidavit Declaration of Brett Hartl with Exhibits)(Parent, Stephanie) (Entered: 07/06/2020) |